UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,340	02/17/2004	Daryl B. Olander	ORACL-01402US1-SRM/JPO	9959

80548 7590 07/22/2009	EXAMINER
Fliesler Meyer LLP 650 California Street 14th Floor San Francisco, CA 94108	LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
2178	

MAIL DATE	DELIVERY MODE
07/22/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/780,340	OLANDER ET AL.
	Examiner	Art Unit	
	MATTHEW J. LUDWIG	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 April 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *See Continuation Sheet* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,4,6,8-12,14,16,18-21,23,24,26,28-33,35,37-42,44,45,47 and 49-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are 1,3,4,6,8-12,14,16,18-21,23,24,26,28-33,35,37-42,44,45,47 and 49-51.

DETAILED ACTION

1.   This office action is in response to the amendment received 4/30/2009.

2.   Claims 1, 3, 4, 6, 8-12, 14, 16, 18-21, 23, 24, 26, 28-33, 35, 37-42, 44, 45, 47, 49-51 are

pending in the application. Claims 1, 11, 21, 31, 40, 41, and 42 are independent claims.

3.   The rejection of claims 1, 3-21, 23-42, and 44-51 under 35 U.S.C. 102(e) as being

anticipated by Aggarwal have been withdrawn pursuant to applicant's amendments.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

5.   **Claims 1 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being**

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

   In reference to independent claims 1, 11, the language found within the claim states

'the page operable to provide a response based on the request'. The vexatious language of the

phrase 'operable to provide a response based on the request' fails to include specific language that

would require action by a processor or computer system. The language found in the limitation

prior to the limitation in question, determines a web page to be rendered. The page operable to

provide a response based on the request seems to point back to the last limitation in a way that is

out of order within the context of the claim.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   **Claims 1, 3, 4, 6, 8-12, 14, 16, 18-21, 23, 24, 26, 28-33, 35, 37-42, 44, 45, 47, 49-**

51rejected under 35 U.S.C. 102(b) as being anticipated by Nusbaum et al., "WebSphere

Application Servers: Standard and Advanced Editions," IBM Corporation, IBM

Redbooks, First Edition, July 1999, hereinafter "WebSphere".

In reference to independent claim 1, Nusbaum teaches:

'*a controller operable to accept the communication and provide the communication to*

a model;

the model operable to perform processing of the request and to determine a web page to

be rendered'

The reference to Nusbaum provides WebSphere as the 'portal server', which determines whether

a static HTML request or a servlet request has been made. The servlets take as input the HTTP

request from the client and output dynamically generated HTML. See pages 5-7 and figures 1-3.

'the page operable to provide a response based on the request; and wherein the web page

belongs to a web page group;

wherein the web page group includes a definition file with a web page group extension;

wherein the web page is the target of a first action method; wherein the web page raises a

second action method; wherein the second action method implements code that results in website

navigation;

wherein the web page group includes application logic that is separate from logic related

to rendering a graphical user interface;

wherein the web page group stores a state of the pages in the group; and

wherein the web page group stores the state of the pages using annotated variables'.

The reference to Nusbaum provides a means of utilizing a servlet engine for running Java

Servlets. The servlet engine processes the dynamic content and provides for servlet management

and supports Java Server Pages. The servlets themselves are Java classes that run on Web servers

to provide dynamically generated HTML. See WebSphere, page 5, sections 1.3.2, Servlets; pages

14-16 and figures 1-3. WebSphere, pages 91-119, teaches setting up and managing servlets, in a

portal manager. Loaded servlets monitor values, which are fields "State", "Auto Start", and

"Auto Reload", and maintaining the functions of representing the current state of the portal for

the current user and the current state of the servlet for each JavaServer Page. Figure 63 provides

a listing of servlets in a package to illustrate the association of the web page group and how the

relationship of action methods occur through the implementation of WebSphere. Also, see pages

94-105, 3.1.2.

In reference to dependent claim 3, Nusbaum teaches:

The reference discloses back-end business logic as disclosed on pages 14-17 and

illustrated in figures 3.

In reference to dependent claim 4, Nusbaum teaches:

Figure 3 illustrates the page group control methods disclosed within the WebSphere

system and provides the logic for page flow control through JSP requests. See figure 3.

In reference to dependent claim 6, Nusbaum teaches:

Servlet configuration is disclosed which provides a means of nesting pages within a page

group, as presently claimed. See pages 93-104.

In reference to dependent claim 8 and 9, Nusbaum teaches:

The system disclosed within WebSphere provides a means of setting up functionally

related webpages through the servlet method described and deployed using servlets on the

application server. See pages 92-105.

In reference to dependent claim 10, Nusbaum teaches:

The servlets created allow for a page to be bound to a form and encapsulate data posted

to the page group by a client within the WebSphere system. See pages 100-107.

In reference to claims 11, 12, 14, 16, 18, 19, 20 the limitations recite language for performing

steps to provide communications to a model and are similar to those found in independent claim

1, 3, 4, 6, 8-10. Therefore, the claims are rejected under similar rationale.

In reference to claims 21, 23, 24, 26, 28-30, the limitations recite a method for performing steps

to provide communications to a model and are similar to those found in independent claim 1, 3,

4, 6, 8-10. Therefore, the claims are rejected under similar rationale.

In reference to independent claims 31, the claim discloses similar steps to those found in

rejected independent claim 1. However, the claim recites 'providing a view based of the model

and wherein the view is a web page in a page group'. The web page is illustrated and the servlets

are provided to teach the page group in the WebSphere system. See pages 95-105.

In reference to claims 32, 33, 35, 37-39, 40-42, 44, 45, 47, 49-51, the limitations recite a

method for performing steps to provide communications to a model and are similar to those

found in independent claim 3, 4, 6, 8-10. Therefore, the claims are rejected under similar

rationale.

Response to Arguments

8.   Applicant's arguments with respect to claims 1, 3-21, 23-42, and 44-51 have been

considered but are moot in view of the new ground(s) of rejection.

Applicant made amendments to the claims that changed the scope of the claims when

read as whole. Based upon these amendments to the claims, the examiner has withdrawn the

rejection under Aggarwal and replaced the primary reference with a new rejection.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MATTHEW J. LUDWIG whose telephone number is (571)272-

4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit
2178

ML